

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

SOCIETY INSURANCE COMPANY as)	
subrogee of Clinton Properties,)	
)	
Plaintiff,)	
)	
v.)	No. 2:20-cv-00339-JPH-DLP
)	
CINTAS CORPORATION,)	
)	
Defendant.)	

ORDER ON JURISDICTION

Plaintiff Society Insurance Company has filed a complaint alleging that this Court has diversity jurisdiction over this matter. Dkt. 1. For the Court to have diversity jurisdiction, the amount in controversy must exceed \$75,000, exclusive of interest and costs, and the litigation must be between citizens of different states. 28 U.S.C. § 1332(a). For diversity jurisdiction purposes, "the citizenship of an LLC is the citizenship of each of its members." *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007). For LLCs, parties must "work back through the ownership structure until [reaching] either individual human beings or a formal corporation with a state of incorporation and a state of principal place of business." *Baez-Sanchez v. Sessions*, 862 F.3d 638, 641 (7th Cir. 2017); *Thomas*, 487 F.3d at 534.

Here, the complaint identifies Plaintiff's subrogor, Clinton Properties, LLC, as an LLC. But the complaint fails to identify the LLC's members or the citizenship of those members. Dkt. 1 at 1. Nor does the complaint allege that Clinton Properties, LLC's citizenship is not relevant to the jurisdictional

analysis. *See id.* Counsel has an obligation to analyze subject-matter jurisdiction, *Heinen v. Northrop Grumman Corp.*, 671 F.3d 669, 670 (7th Cir. 2012), and a federal court always has the responsibility to ensure that it has jurisdiction, *Hukic v. Aurora Loan Servs.*, 588 F.3d 420, 427 (7th Cir. 2009). The Court's obligation includes knowing the details of the underlying jurisdictional allegations. *See Evergreen Square of Cudahy v. Wis. Hous. and Econ. Dev. Auth.*, 776 F.3d 463, 465 (7th Cir. 2015) ("the parties" united front is irrelevant since the parties cannot confer subject-matter jurisdiction by agreement . . . and federal courts are obligated to inquire into the existence of jurisdiction *sua sponte*").

Therefore, the Court **ORDERS** Society Insurance to file a jurisdictional statement by **September 25, 2020**, addressing the issues identified in this order.

SO ORDERED.

Date: 7/20/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

Bozidar Robert Ostojic
LEAHY EISENBERG & FRAENKEL
ro@lefltd.com